

Message Text

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PAGE 01 ROME 10164 151258Z

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SUBJECT: CHURCH SUBCOMMITTEE ON MULTINATIONAL CORPORATIONS

REF: ROME 10163

FOLLOWING ARE EMBASSY TRANSLATIONS OF THE STATED ARTICLES OF THE ITALIAN PENAL CODE:

"ARTICLE 318 - CORRUPTION FOR PERFORMING AN ACT OF OFFICE.

A PUBLIC OFFICIAL WHO, FOR THE PERFORMANCE OF AN ACT OR HIS OFFICE, RECEIVES FOR HIMSELF OR FOR A THIRD PERSON, IN MONEY OR OTHER BENEFIT, A REWARD WHICH IS NOT DUE TO HIM, OR ACCEPTS THE PROMISE THEREOF, SHALL BE PUNISHED WITH IMPRISONMENT UP TO THREE YEARS AND WITH A FINE FROM FOUR-THOUSAND TO EIGHTY-THOUSAND LIRE.

IF THE PUBLIC OFFICIAL RECEIVES THE REWARD FOR AN OFFICIAL ACT ALREADY PERFORMED BY HIM, THE PUNISHMENT SHALL BE IMPRISONMENT UP TO ONE YEAR AND A FINE TO TWENTY-FOUR THOUSAND LIRE.
ARTICLE 319- CORRUPTION FOR PERFORMING AN ACT CONTRARY TO THE DUTIES OF OFFICE.

A PUBLIC OFFICIAL WHO, FOR OMITTING OR DELAYING AN ACT OF HIS OFFICE, RECEIVES, FOR HIMSELF OR FOR A THIRD PERSON, MONEY OR OTHER BENEFIT, OR ACCEPTS THE PROMISE THEREOF, SHALL BE PUNISHED WITH IMPRISONMENT FROM TWO TO FIVE YEARS AND WITH A FINE FROM TWENTY-FOUR THOUSAND TO ONE HUNDRED AND SIXTY THOUSAND LIRE. THE PUNISHMENT SHALL BE INCREASED IF THE ACT RESULTS IN:

(1) THE CONFERRMENT OF PUBLIC POSTS, SALARIES, PENSIONS OR DISTINCTIONS, OR THE CONCLUSION OF CONTRACTS WHERE IN THE
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PAGE 02 ROME 10164 151258Z

ADMINISTRATION TO WHICH THE PUBLIC OFFICIAL BELONGS IS INTERESTED;

(2)...

SHOULD THE PUBLIC OFFICIAL RECEIVE THE MONEY OR THE BENEFIT FOR HAVING ACTED CONTRARY TO THE DUTIES OF HIS OFFICE, OR FOR HAVING OMITTED OR DELAYED AN ACT OF HIS OFFICE, THE PUNISHMENT SHALL BE IMPRISONMENT FROM ONE TO THREE YEARS AND A FINE FROM EIGHT-THOUSAND TO EIGHTY-THOUSAND LIRE.

ARTICLE 321 - PENALTIES FOR CORRUPTER.

THE PUNISHMENTS PROVIDED FOR IN ARTICLES 318, FIRST PARAGRAPH, 319 AND 320 SHALL ALSO APPLY TO THE PERSON WHO GIVES OR PROMISES THE PUBLIC OFFICIAL OR THE PERSON ENTRUSTED WITH A PUBLIC SERVICE THE MONEY OR OTHER BENEFIT.

ARTICLE 323 - ABUSE OF OFFICE IN CASES NOT SPECIFICALLY CONTEMPLATED BY THE LAW.

A PUBLIC OFFICIAL WHO, ABUSING THE POWERS INHERENT IN HIS FUNCTIONS, COMMITS, FOR THE PURPOSE OF CAUSING INJURY TO OTHERS OR OF PROCURING FROM THEM AN ADVANTAGE, ANY ACT NOT CONTEMPLATED AS AN OFFENSE BY A PARTICULAR PROVISION OF LAW, SHALL BE PUNISHED WITH IMPRISONMENT UP TO TWO YEARS OR WITH A FINE FROM FOUR-THOUSAND TO EIGHTY-THOUSAND LIRE.

ARTICLE 324 - PRIVATE INTEREST IN ACT OF OFFICE.

A PUBLIC OFFICIAL WHO, DIRECTLY OR THROUGH AN INTERMEDIARY, OR WITH SIMULATED DOCUMENTS, TAKES PRIVATE INTEREST IN ANY ACT OF THE PUBLIC ADMINISTRATION UNDER WHICH HE EXERCISES HIS OWN OFFICE, SHALL BE PUNISHED WITH IMPRISONMENT FROM SIX MONTHS TO FIVE YEARS AND WITH A FINE FROM EIGHT THOUSAND TO ONE HUNDRED AND SIXTY THOUSAND LIRE.

ARTICLE 510 - FRAUDULENT RAISING OR LOWERING OF PRICES ON THE PUBLIC MARKET OR IN THE COMMERCIAL EXCHANGES. WHOEVER, FOR THE PURPOSE OF DISTURBING THE HOME MARKET, IN SECURITIES OR GOODS, PUBLISHES OR OTHERWISE SPREADS FALSE EXAGGERATED OR TENDENTIOUS NEWS, OR EMPLOYS OTHER MEANS OF DECEPTION CAPABLE OF CAUSING A RISE OR FALL IN THE PRICE OF GOODS OR OF THE SECURITIES WHICH QUOTED ON THE STOCK EXCHANGE LISTS OR ARE NEGOTIABLE IN THE PUBLIC MARKET, SHALL BE PUNISHED WITH IMPRISONMENT UP TO THREE YEARS AND WITH A FINE OF NOT LESS THAN TWENTY-FOUR THOUSAND LIRE.

THE PUNISHMENT SHALL BE INCREASED IF THE RISE OR FALL IN THE PRICE OF THE GOODS OR SECURITIES TAKES PLACE.

THE PUNISHMENTS SHALL BE DOUBLED IF:

(1) THE ACT IS COMMITTED BY A NATIONAL FOR THE LIMITED OFFICIAL USE

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PAGE 03 ROME 10164 151258Z

PURPOSE OF FAVORING FOREIGN INTERESTS;

(2) THE ACT RESULTS IN A DEPRECIATION OF THE NATIONAL CURRENCY OR OF THESE SECURITIES OF THE STATE, OR IN A RISE IN PRICE OF GOODS OF GENERAL OR WIDE CONSUMPTION.

THE PUNISHMENTS PRESCRIBED IN THE FOREGOING PROVISIONS SHALL ALSO APPLY IF THE ACT IS COMMITTED ABROAD TO THE PREJUDICE OF THE NATIONAL CURRENCY OR OF ITALIAN PUBLIC SECURITIES. CONVICTION SHALL INVOLVE INTERDICTION FROM PUBLIC

OFFICES." VOLPE

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